



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

November 10, 2015

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 7:00 p.m. in the Council Chambers.

Council Members Present: Debbie Goettel, Mayor; Edwina Garcia, Tom Fitzhenry; and Michael Howard.

Council Members Absent: Pat Elliott.

Staff Present: Steven L. Devich, City Manager; Melissa Poehlman, Acting Community Development Director; Jay Henthorne, Public Safety Director/Police Chief; Jim Topitzhofer, Recreation Services Director; Betsy Osborn, Support Services Supervisor, Kris Weiby, Facilities Manager; Mary Tietjen, City Attorney; and Cheryl Krumholz, Executive Coordinator.

OPEN FORUM

Steven Unkowsy, Richfield Public Schools Superintendent, thanked the City Council for their support in the success of the school referenda in the recent election.

PLEDGE OF ALLEGIANCE

Mayor Goettel led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES

M/Fitzhenry, S/Howard to approve the minutes of the (1) Special City Council Worksession of October 27, 2015; and (2) Regular City Council Meeting of October 27, 2015.

Motion carried 4-0.

Item #1	SWEAR-IN RICHFIELD POLICE OFFICERS ROBERT SMITH, PATRICK SHEADY AND JAE QUERN
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Public Safety Director Henthorne administered the swear-in of the officers.

Item #2	ANNUAL MEETING WITH THE PLANNING COMMISSION
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Rick Jabs, Chair, presented the annual report.

Item #3	COUNCIL DISCUSSION <ul style="list-style-type: none">• Cancel/reschedule December 22, 2015 Regular City Council Meeting• Hats Off to Hometown Hits
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Council Member Garcia announced the Fare for All Holiday Food Package event at the Community Center on November 17, 2015.

Recreation Services Director Topitzhofer announced the following events:

- Turkey Trailblazer 5k & 1k Run/Walk at the Wood Lake Nature Center on November 21, 2015.
- Give to the Max Day on November 12, 2015

Council Member Fitzhenry provided an update on the Beyond the Yellow Ribbon Campaign. He also announced the Veterans' Day celebration at the Honoring All Veterans Memorial on November 11, 2015.

Council Member Howard announced that Senator Amy Klobuchar and Lt. Governor Tina Smith will attend the STEM School Veterans' Day event.

City Manager Devich provided an update on the Portland Avenue road construction project.

Mayor Goettel stated that a ribbon cutting ceremony will be held at the new Army recruiting office at 66th Street/Nicollet Avenue.

M/Goettel, S/Fitzhenry to cancel the December 22, 2015 Regular City Council Meeting.

Motion carried 4-0.

Item #4	COUNCIL APPROVAL OF AGENDA
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M/Fitzhenry, S/Howard to approve the agenda.

Motion carried 4-0.

Item #5	CONSENT CALENDAR
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- A. Consideration of the approval of a resolution granting a Conditional Use Permit and Variances to allow an auto repair shop (Pacific Auto Care) at 6600 Portland Avenue. Staff Report No. 177

RESOLUTION NO. 11138

RESOLUTION APPROVING A CONDITIONAL USE PERMIT
AND VARIANCES FOR AN AUTO REPAIR BUSINESS
AT 6600 PORTLAND AVENUE

This resolution appears as Resolution No. 11138.

- B. Consideration of the approval of an annual request for a Temporary On Sale Intoxicating Liquor license for the Church of St. Richard, located at 7540 Penn Avenue South, for their Novemberfest event to take place November 14-15, 2015. Staff Report No. 178
- C. Consideration of the approval of an annual request for a Temporary On Sale Intoxicating Liquor license for St. Nicholas Episcopal Church, located at 7227 Penn Avenue South, for their Night Under A Western Sky event to take place November 14, 2015. Staff Report No. 179
- D. Consideration of the approval of setting a public hearing to be held on December 8, 2015, for the consideration of the renewal of On-Sale Intoxicating and Sunday Liquor licenses for 2016 for Last Call Operating Co. II, Inc. d/b/a Champps Americana, Don Pablo's Operating, LLC d/b/a Don Pablo's, El Tejaban Mexican Grill, LLC d/b/a El Tejaban Mexican Grill, Thompson's Fireside Pizza, Inc. d/b/a Fireside Foundry, GM Richfield, LLC d/b/a Four Points by Sheraton Minneapolis Airport, Frenchman's Pub, Inc. d/b/a Frenchman's, Wiltshire Restaurants, LLC d/b/a Houlihan's Restaurant & Bar, Paisan, Inc. d/b/a Khan's Mongolian Barbeque, Lyn 65, LLC d/b/a Lyn 65 Kitchen & Bar, Pizza Luce VII, Inc. d/b/a Pizza Luce, Minneapolis-Richfield American Legion Post 435 and Fred Babcock VFW Post 5555 d/b/a Four Nickels Food & Drink. Staff Report No. 180
- E. Consideration of the approval of the setting of a public hearing to be held on December 8, 2015, for the consideration of the renewal of On-Sale Wine and On-Sale 3.2 Percent Malt Liquor licenses for 2016 for Chipotle Mexican Grill of Colorado, LLC d/b/a Chipotle Mexican Grill, Davanni's, Inc. d/b/a Davanni's Pizza & Hot Hoagies, Joy's Pattaya Thai Restaurant, LLC d/b/a Joy's Pattaya Thai Restaurant, Minnesota Junior Hockey Group, LLC d/b/a Minnesota Magicians (located in the Richfield Ice Arena), My Burger Operations, LLC, d/b/a My Burger, The Noodle Shop Co. Colorado, Inc. d/b/a Noodles & Company (two locations), Patrick's French Bakery, Inc. d/b/a Patrick's Bakery & Café, Henry Thou d/b/a Red Pepper Chinese Restaurant. Staff Report No. 181
- F. Consideration of the approval of setting a public hearing to be held on December 8, 2015, for the consideration of the renewal of Pawnbroker and Secondhand Goods Dealer licenses for 2016 for University Cash Company, LLC d/b/a Avi's Pawn and Jewelry and Metro Pawn and Gun, Inc. Staff Report No. 182

M/Goettel, S/Fitzhenry to approve the Consent Calendar.

Motion carried 4-0.

Item #6	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR
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None.

Item #7	CONSIDERATION OF THE SECOND READING OF AN ORDINANCE THAT AMENDS THE CITY'S TOBACCO ORDINANCE AND A RESOLUTION OF SUMMARY PUBLICATION S.R. NO. 183
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Council Member Howard presented Staff Report No. 183.

Mayor Goettel stated that the Advisory Board of Health has reviewed this issue for over a year and she believed the ordinance is appropriate to regulate tobacco use, especially for children.

Council Member Howard expressed support for the ordinance because it is in the best interest of Richfield youth and overall health, especially related to cigar and e-cigarettes. He stated

it was fair to existing businesses to be grandfathered in. He questioned how the ordinance addresses the ability of employees in existing tobacco businesses to fix e-cigarette devices.

City Attorney Tietjen explained the ordinance defines sampling the device before purchasing but does not speak to or deny the repair of e-cigarette devices.

M/Howard, S/Fitzhenry that this constitutes second reading of Bill No. 2015-13, an ordinance amending Section 1146 of the City Code pertaining to tobacco sales and the regulation of smoking and that it be published in the official newspaper, and that it be made part of these minutes, and that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 11139

RESOLUTION APPROVING SUMMARY PUBLICATION OF AN
ORDINANCE PERTAINING TO TOBACCO SALES AND THE REGULATION OF SMOKING

Motion carried 4-0. This resolution appears as Resolution No. 11139.

Item #8	CONSIDERATION OF A SECOND READING OF AN AMENDMENT TO THE CITY'S LIQUOR ORDINANCE IN SECTION 1202 THAT WOULD PERMIT MICRO-BREWERIES, MICRO-DISTILLERIES, ASSOCIATED TAPROOMS AND COCKTAIL ROOMS IN THE CITY AND A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF THE ORDINANCE S.R. NO. 184
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Council Member Fitzhenry presented Staff Report No. 184.

M/Fitzhenry, S/Goettel that this constitutes second reading of Bill No. 2015-14, an ordinance amending Section 1202 of the City Code pertaining to licenses for micro-production facilities and on-sale taprooms and cocktail rooms, and that it be published in the official newspaper, and that it be made part of these minutes, and that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 11140

RESOLUTION APPROVING SUMMARY PUBLICATION OF
AN ORDINANCE PERTAINING TO LICENSES FOR MICRO-PRODUCTION
FACILITIES AND ON-SALE TAPROOMS AND COCKTAIL ROOMS

Council Member Fitzhenry proposed a friendly amendment to the ordinance in Subdivision 18 to remove the 50 percent food requirement.

M/Fitzhenry, S/Goettel to amend Subdivision 18a of the ordinance to eliminate the requirement that restaurants' total sales must be more than 50 percent related to the serving of food.

Motion carried 4-0. This resolution appears as Resolution No. 11140.

Motion carried 4-0. (amendment)

Item #9	CONSIDERATION OF THE SECOND READING OF AN AMENDMENT TO THE CITY'S ZONING ORDINANCE AND A RESOLUTION APPROVING SUMMARY PUBLICATION OF SAID ORDINANCE. THE PROPOSED ORDINANCE WOULD CONDITIONALLY PERMIT MICRO-BREWERIES, MICRO-DISTILLERIES AND ASSOCIATED TAPROOMS/COCKTAIL ROOMS IN A NUMBER OF COMMERCIAL AND MIXED USE DISTRICTS S.R. NO. 185
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Mayor Goettel presented Staff Report No. 185.

M/Goettel, S/Fitzhenry that this constitutes the second reading of Bill No. 2015-15, an ordinance amending the Richfield City Code to allow micro-production facilities and taprooms/cocktail rooms in commercial and mixed-use zoning districts and that it be published in the official newspaper, and that it be made part of these minutes, and that the following resolution be adopted and that it be made part of these minutes;

RESOLUTION NO. 11141

RESOLUTION APPROVING SUMMARY PUBLICATION OF AN ORDINANCE TO CONDITIONALLY PERMIT MICRO-PRODUCTION FACILITIES AND TAPROOMS/COCKTAIL ROOMS IN COMMERCIAL AND MIXED-USE ZONING DISTRICTS

Motion carried 4-0. This resolution appears as Resolution No. 11141.

Item #10	CONSIDERATION OF NEW 2016 ON SALE WINE AND 3.2 PERCENT MALT LIQUOR LICENSES FOR MINNESOTA JUNIOR HOCKEY GROUP, LLC D/B/A MINNESOTA MAGICIANS LOCATED AT THE RICHFIELD ICE ARENA, 636 EAST 66TH STREET S.R. NO. 186
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Council Member Garcia presented Staff Report No. 186.

Council Member Garcia stated that the Chammps liquor license will continue through the end of 2015 and the Magicians liquor license is effective January 2016.

M/Garcia, S/Goettel to approve the new 2016 on sale wine and 3.2 percent malt liquor licenses for Minnesota Junior Hockey Group, LLC d/b/a Minnesota Magicians located at the Richfield Ice Arena, 636 East 66th Street.

Motion carried 4-0.

Item #11	CITY MANAGER'S REPORT
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City Manager Devich encouraged residents to visit Richfield Connect to provide their feedback on the new posted questions.

Item #12	CLAIMS AND PAYROLLS
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M/Fitzhenry, S/Howard that the following claims and payrolls be approved:

U.S. Bank		11/10/15
A/P Checks: 245198-245644	\$	1,418,899.74
Payroll: 114480-114803	\$	558,925.40
TOTAL	\$	1,977,825.14

Motion carried 4-0.

OPEN FORUM

None.

Item #13	ADJOURNMENT
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The City Council Meeting was adjourned by unanimous consent at 8:03 p.m.

Date Approved: November 24, 2015

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager